



BOROUGH OF
Kinnelon

130 Kinnelon Road
Kinnelon, New Jersey 07405

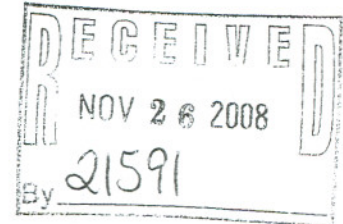
BOROUGH CLERK

Phone: 973-838-5401

Extension 1

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November 24, 2008



Eileen Swan
Executive Director
Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester New Jersey, 07930-2322

Re: Resolution 11.01.08 and 11.02.08

Dear Ms. Swan,

Enclosed you will find one certified copy of each Resolution 11.01.08 (Borough of Kinnelon's Notice of Intent to Petition the Highlands Council for Plan Conformance) and Resolution 11.02.08 (Borough of Kinnelon's Resolution Seeking and Extension of the Deadline to Petition for Substantive Certification Pursuant to Executive order 114 and the Memorandum of Understanding Between the Highlands Council and the Council on affordable Housing).

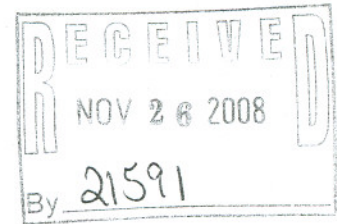
If you have any questions, please feel free to call.

Very truly yours,
BOROUGH OF KINNELON

Karen M. Iuele
Deputy Borough Clerk

cc. John P. Miller, Esq.

Enclosure



**RESOLUTION NO. 11.02.08 BOROUGH OF KINNELON'S RESOLUTION
SEEKING AN EXTENSION OF THE DEADLINE TO
PETITION FOR SUBSTANTIVE CERTIFICATION
PURSUANT TO EXECUTIVE ORDER 114 AND THE
MEMORANDUM OF UNDERSTANDING BETWEEN
THE HIGHLANDS COUNCIL AND THE COUNCIL
ON AFFORDABLE HOUSING**

WHEREAS, on September 5, 2008, Governor Corzine signed Executive Order 114 which requires the Council on Affordable Housing (COAH) and the New Jersey Highlands Council (Highlands) to enter into a Memorandum of Understanding (MOU) designed to coordinate the regulations of both agencies by maximizing affordable housing opportunities while preserving critical environmental resources; and

WHEREAS, COAH and the Highlands have prepared such an MOU, which was adopted by COAH on October 29, 2008 and by the Highlands Council on October 30, 2008; and

WHEREAS, conformance with the Highlands Regional Master Plan (Plan Conformance) requires revisions to municipal and county master plans and development regulations as applicable to the development and use of land to align them with the goals, requirements, and provisions of the Regional Master Plan; and

WHEREAS, COAH regulations establish a December 31, 2008 deadline for municipalities currently under the jurisdiction of COAH to submit third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU establishes a procedure that municipalities under the jurisdiction of both COAH and the New Jersey Highlands Water Protection and Planning Act may follow to seek an extension to the December 31, 2008 deadline set by COAH for the submission of third round petitions for substantive certification of a municipal housing element and fair share plan; and

WHEREAS, the MOU provides for an extension of the December 31, 2008 deadline to December 8, 2009 for any Highlands municipality under COAH's jurisdiction that, before December 31, 2008: 1) submits a duly adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submits a duly adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009; and

WHEREAS, on November 20, 2008 the governing body of the Borough of Kinnelon ("Kinnelon") adopted a resolution notifying the Highlands that Kinnelon has set December 1, 2009 as the target date for submission of a Petition for Plan Conformance.

NOW, THEREFORE, BE IT RESOLVED, that Kinnelon hereby agrees that its deadline for the submission of a Housing Element and Fair Share Plan pursuant to N.J.A.C. 5:96-16 is extended from December 31, 2008 to December 8, 2009; and

BE IT FURTHER RESOLVED that the governing body of Kinnelon hereby directs its Borough Clerk to immediately transmit a signed and sealed copy of this resolution to COAH; and

BE IT FURTHER RESOLVED that the governing body of Kinnelon hereby directs its Borough Clerk to immediately transmit a signed and sealed copy of the November 20, 2008 duly

adopted Notice of Intent to Petition in accordance with the Highlands Council's Plan Conformance Guidelines to COAH; and

BE IT FURTHER RESOLVED that the governing body of Kinnelon intends to submit a petition for substantive certification of a third round Housing Element and Fair Share Plan to COAH not later than December 8, 2009.

CERTIFICATION

I, Elizabeth M. Sebrowski, Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Governing Body at a regular meeting of the Borough held on November 20, 2008.


Elizabeth M. Sebrowski, Borough Clerk